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C O N F I D E N T I A L SECTION 01 OF 04 USUN NEW YORK 001167

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TAGS: [PREL](#) [UNSC](#) [IZ](#)
SUBJECT: IRAQI PERMREP PROPOSES CHANGES TO MNF UNSCR

REF: A. USUN 1159
[B.](#) USUN 1147
[C.](#) 12/13 WARLICK/PHEE E-MAIL

Classified By: Deputy Political Counselor Molly Phee for reasons 1.4 (b)
) and (d).

[1.](#) (C) Summary and Action Request: Upon receipt of revised text from Washington (ref e-mail), Amb Khalilzad met with Iraqi PermRep Bayati December 13 to provide him with the UK/US revision to the resolution to extend through 2008 the authorities for MNF-I, DFI, and the IAMB (reftels). For his part, Bayati presented several Iraqi changes to the text which he said had been prepared by the Prime Minister's office. Following informal consultation with Washington, USUN subsequently provided the Iraqi mission with the text in para 8 to accommodate Iraqi concerns, along with a message from S/I Satterfield that no further changes are possible. USUN seeks instruction from the Department to circulate the text in para 8 to the Security Council December 14. End Summary and Action Request.

[2.](#) (C) During a December 13 meeting, Amb Khalilzad presented Iraqi PermRep Bayati with a revised UK/US text to extend through 2008 MNF-I, DFI, and IAMB, and advised Bayati that the changes we had made based on proposals from other Council delegations are minor and do not cross any Iraqi lines. It is time to move forward with the resolution, he said. Bayati then presented Amb Khalilzad with several Iraqi changes, which he said he had received from the Prime Minister's office. After reviewing the proposals, Amb Khalilzad noted, subject to the review of lawyers, that he did not see any problem with the Iraqi's request for changes to preambular language. While we agreed with the substance of the proposed change to OP1, it was likely that this formulation would be unacceptable to the P-5 and most lawyers, as the Security Council generally does not commit itself to prospective action. After informal consultation with Washington, USUN subsequently provided the Iraqi mission with the text in para 8, as well as additional explanations (see paras 4-7).

No More Negotiations

[3.](#) (C) When providing the Iraqi mission with the revised text, USUN delivered the following message from S/I Satterfield. USUN advised the Iraqi mission that during Satterfield's recent visit to Iraq to negotiate the Maliki and POTUS letters on this subject, there had been an agreement between Satterfield and the Prime Minister's office that Iraq would not/not seek changes to the UNSC resolution text. Due to our close relationship, however, in response to the request conveyed by Bayati, we had agreed to modify the text (para 8). We intend to circulate this text to the Security Council December 14 and will seek to schedule a vote by December 18, prior to the Security Council discussion of Kosovo on December 19. (Note: The UN is closed on December

20 and the last day of scheduled work for the Security Council this month is December 21. End Note.) This text is consistent with the spirit and objectives of the Prime Minister's letter and can win the support of the Security Council. There is no time for further negotiation.

Discussion of Text

¶4. (C) PP2. The Iraqis sought to modify the last clause as follows: "looking forward to completion of that process during 2008." Due to concerns that the PIC process might not be completed during 2008, we revised the Iraqi proposal to read: "also welcoming efforts to complete that process during 2008."

¶5. (C) PP4. We discussed with Bayati the fact that in Arabic, "tadakhul" can be used to mean either "intervention" or "interference." We said that in English, "interference" generally has a negative connotation, which we judged more accurately reflected Iraqi concerns. We also noted that most of the Security Council preferred "non-interference." But we are flexible, and asked Bayati to seek the GOI's preference.

¶6. (C) PP18. Per ref e-mail, the US had modified PP18 to refer to "parties" vice "forces." The Iraqis, working off of the version that referred to "forces," sought "multinational forces." USUN explained that from the Iraqi perspective, "parties" is a preferable choice because "parties" could be read to include security contractors.

¶7. (C) OP1. The Iraqis proposed a new clause, to begin after the date 7 December 2007: "particularly that this extension will be the final request to the Security Council for

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extension of the mandate of the MNF-I and expects that the Security Council should be able to deal with the situation in Iraq without future action under Chapter VII of the UN Charter." USUN made the following arguments to reject this language. One, the rest of the P-5 would not accept this language. Two, the Security Council avoids prospective language in resolutions. Three, the language is redundant because OP1 already refers to the Maliki letter, which contains this point. Four, by emphasizing this point, the addition would inadvertently de-emphasize other important points in the Maliki letter. As an alternative, we offered "included all of the objectives highlighted therein," which is a direct reference to the six enumerated objectives in the Maliki letter, including the Iraqi views on Chapter VII.

¶8. (SBU) Proposed changes in brackets. Begin text.

The Security Council,

PP1 Welcoming the efforts of the democratically elected, constitutionally based, national unity Government of Iraq in fulfilling its detailed political, economic, and security program and national reconciliation agenda and looking forward to the day Iraqi forces assume full responsibility for the maintenance of security and stability in their country, thus allowing the completion of the multinational force mandate and the end of its presence in Iraq,

PP2 Welcoming continued progress in training, equipping and capacity-building of Iraqi security forces, including the Iraqi Army and the internal security forces, and the assumption of command and control by Iraqi Ground Forces Command over all Iraqi Army divisions, and the transfer of security responsibility in Najaf, Maysan, (Muthana, Thia Qar,) Dahuk, Irbil, Sulaymaniyah, and Karbala provinces, and (also welcoming effort to complete) that process (during 2008),

PP3 Recalling all of its previous relevant resolutions on Iraq,

PP4 Reaffirming the independence, sovereignty, unity, and territorial integrity of Iraq, and reaffirming further the importance of the principle of non-intervention in the internal affairs of Iraq,

PP5 Reaffirming also the right of the Iraqi people freely to determine their own political future and control their own national resources,

PP6 Welcoming the continuing work of the Government of Iraq towards a federal, democratic, pluralistic, and unified Iraq, in which there is full respect for human rights,

PP7 Noting the strong commitment of the Government of Iraq in pursuing an atmosphere in which sectarianism is totally rejected, including through the agreed (communiqué) announced on 26 August 2007, underscoring the need for all communities in Iraq to reject sectarianism, participate in the political process, and engage in an inclusive political dialogue and national reconciliation for the sake of Iraq's political stability and unity, and reaffirming the willingness of the international community to work closely with the Government of Iraq to assist these reconciliation efforts,

PP8 Recognizing continuing progress under the International Compact with Iraq, an initiative of the Government of Iraq that has created a new partnership with the international community and is building a strong framework for Iraq's continued political, security and economic transformation and integration into the regional and global economy, and welcoming the important role that the United Nations is playing by jointly chairing the Compact with the Government of Iraq,

PP9 Calling upon the international community, particularly countries in the region and Iraq's neighbors, to support the Iraqi people in their pursuit of peace, stability, security, democracy, and prosperity, welcoming the Expanded Neighbors Conferences on 4 May 2007 and 2-3 November 2007, resultant working groups, and the agreement to establish an Expanded Neighbors "support mechanism" with support from the UN, and noting that the successful implementation of this resolution will contribute to regional stability,

PP10 Demanding those who use violence in an attempt to subvert the political process should lay down their arms and participate in the political process, and encouraging the Government of Iraq to continue to engage with all those who renounce violence,

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PP11 Reaffirming that acts of terrorism must not be allowed to disrupt Iraq's political and economic transition, and further reaffirming the obligations of Member States under resolution 1618 (2005) of 4 August 2005 and other relevant resolutions and international conventions with respect, inter alia, to terrorist activities in and from Iraq or against its citizens,

PP12 Recalling the termination under resolution 1762 (2007) of the mandates of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq under the relevant resolutions, welcoming Iraq's commitments in its letter to the Security Council dated 8 April 2007 annexed to that resolution, and reaffirming Iraq's disarmament obligations under relevant resolutions,

PP13 Recognizing the request conveyed in the letter of 7 December 2007 from the Prime Minister of Iraq to the President of the Council, which is annexed to this resolution, to retain the presence of the multinational force in Iraq, recognizing also the Government of Iraq's intention to assume full responsibility for providing security to the

country and people of Iraq, and taking note of (all of) the objectives set forth in that letter,

PP14 Recognizing the importance of consent of the sovereign government of Iraq for the presence of the multinational force and of maximum coordination and close partnership between the multinational force and that government,

PP15 Taking into consideration the progress of Iraq's security forces in improving the capability to provide security to the country and people of Iraq, as well as the continuing progress of the Government of Iraq in achieving its political, economic, and security program,

PP16 Welcoming the willingness of the multinational force to continue efforts to contribute to the maintenance of security and stability in Iraq, including participating in the provision of humanitarian and reconstruction assistance, as described in the letter of 10 December 2007 from the United States Secretary of State to the President of the Council, which is annexed to this resolution,

PP17 Recognizing the tasks and arrangements set out in letters annexed to resolution 1546 (2004) of 8 June 2004, including the provision of security and logistical support for the United Nations presence in Iraq, and the cooperative implementation by the Government of Iraq and the multinational force of those arrangements, and having regard for Resolution 1770 (2007) of 10 August 2007,

PP18 Affirming the importance for all parties promoting the maintenance of security and stability in Iraq to act in accordance with international law, including relevant obligations under international humanitarian law, human rights law and refugee law, and to cooperate with the relevant international organizations, welcoming their commitments in this regard and underscoring that all parties should take all feasible steps to ensure the protection of affected civilians,

PP19 Recalling the establishment of the United Nations Assistance Mission for Iraq (UNAMI) on 14 August 2003, and affirming that the United Nations should continue to play a leading role in supporting the efforts of the Iraqi people and Government to strengthen institutions for representative government, promote political dialogue and national reconciliation, engage neighbouring countries, assist vulnerable groups, including refugees and internally displaced persons, and promote the protection of human rights and judicial and legal reform in accordance with resolution 1770 (2007),

PP20 Recognizing that international support for security and stability is essential to the well-being of the people of Iraq as well as the ability of all concerned, including the United Nations, to carry out their work on behalf of the people of Iraq, and expressing appreciation for Member State contributions in this regard under resolution 1483 (2003), resolution 1511 (2003), resolution 1546 (2004), resolution 1637 (2005) and resolution 1723 (2006),

PP21 Recognizing that the Government of Iraq will continue to have the (leading) role in coordinating international assistance to Iraq and reaffirming the importance of international assistance and development of the Iraqi economy and the importance of coordinated donor assistance,

PP22 Recognizing the significant role of the Development Fund

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for Iraq and the International Advisory and Monitoring Board and the provisions of paragraph 22 of resolution 1483 (2003) in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and equitably for the benefit of the people of Iraq,

PP23 Stressing the responsibility of the Iraqi authorities to undertake all appropriate steps to prevent attacks on the diplomatic personnel accredited in Iraq in accordance with the Vienna Convention on Diplomatic Relations of 1961,

PP24 Determining that the situation in Iraq continues to constitute a threat to international peace and security,

PP25 Acting under Chapter VII of the Charter of the United Nations,

¶1. Notes that the presence of the multinational force in Iraq is at the request of the Government of Iraq and reaffirms the authorization for the multinational force as set forth in resolution 1546 (2004) and decides to extend the mandate as set forth in that resolution until 31 December 2008, taking into consideration the Iraqi Prime Minister's letter dated 7 December 2007(, including all of the objectives highlighted therein,) and the United States Secretary of State's letter dated 10 December 2007;

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¶2. Decides further that the mandate for the multinational force shall be reviewed at the request of the Government of Iraq or no later than 15 June 2008, and declares that it will terminate this mandate earlier if requested by the Government of Iraq;

¶3. Decides to extend until 31 December 2008 the arrangements established in paragraph 20 of resolution 1483 (2003) for the depositing into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products, and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) for the monitoring of the Development Fund for Iraq by the International Advisory and Monitoring Board and further decides that, subject to the exception provided for in paragraph 27 of resolution 1546 (2004), the provisions of paragraph 22 of resolution 1483 (2003) shall continue to apply until that date, including with respect to funds and financial assets and economic resources described in paragraph 23 of that resolution;

¶4. Decides further that the provisions in the above paragraph for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board and the provisions of paragraph 22 of resolution 1483 (2003) shall be reviewed at the request of the Government of Iraq or no later than 15 June 2008;

¶5. Requests that the United States, on behalf of the multinational force, continue to report to the Council on the efforts and progress of this force on a quarterly basis;

¶6. Decides to remain actively seized of the matter.

End Text.

Khalilzad